

Message Text

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ORIGIN AF-10

INFO OCT-01 ISO-00 HA-05 IO-13 SIG-01 MMO-01 CIAE-00
DODE-00 PM-05 H-01 INR-10 L-03 NSAE-00 NSC-05
PA-01 SP-02 SS-15 USIA-06 /079 R

DRAFTED BY: AF/I LSHURTLEFF: DFF
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AF/I WLEWIS
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AFE/E JWHITING
AF LWALKER
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AF/W TWMSMITH
AF/S DPETERSON

-----128868 231420Z /47/16
R 220233Z FEB 78
FM SECSTATE WASHDC
TO ALAFD

C O N F I D E N T I A L STATE 045271

PASS CONSULS

C O R R E C T E D C O P Y (LINES 4 AND 5 OF PARA STARTING
"ACTION REQUESTED" DELETED)

E.O. 11652: N/A

TAGS: SHUM, XA

SUBJECT:RESPONSES TO PRIVATE INQUIRIES ABOUT INDIVIDUALS
ALLEGED TO BE POLITICAL PRISONERS

SUMMARY: FOLLOWING PROVISIONAL GUIDANCE IS INTENDED TO
ASSIST POSTS IN DECIDING HOW TO HANDLE IN A RESPONSIVE,
POSITIVE MANNER INQUIRIES FROM PRIVATE INDIVIDUALS OR GROUPS
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ABOUT ALLEGED POLITICAL PRISONERS IN THEIR COUNTRIES
OF RESPONSIBILITY. SEVERAL POSTS HAVE ALREADY RECEIVED
SUCH INQUIRIES FROM AMNESTY INTERNATIONAL CHAPTERS AND
OTHER HUMAN RIGHTS GROUPINGS. IN GENERAL WE BELIEVE
POSTS MUST AVOID ACTING AS INVESTIGATORY AGENTS OR IN-
TERMEDIARIES FOR PRIVATE GROUPS AND INDIVIDUALS, BUT
SHOULD RESPOND DIRECTLY TO RESPONSIBLE AND LEGITIMATE

REQUESTS FOR INFORMATION BY GIVING ANY FACTS PUBLICLY AVAILABLE (E.G. AN OFFICIAL NOTICE THAT THE PERSON IN QUESTION HAS BEEN RELEASED FROM PRISON) AND SUGGESTING TO THOSE INQUIRING THAT THEY DIRECT INQUIRIES TO HOST GOVERNMENT OFFICES OR OFFICIALS WHO MIGHT BE ABLE TO PROVIDE ADDITIONAL INFORMATION.

ACTION REQUESTED: YOUR COMMENTS AND OBSERVATIONS ON THE WORKABILITY OF THE PROVISIONAL GUIDELINES DETAILED BELOW. KEEP IN MIND THAT THESE PROVISIONAL GUIDELINES ARE INTENTIONALLY FLEXIBLE AND LEAVE MUCH TO THE DISCRETION OF POSTS THAT FACE VERY DIFFERENT SITUATIONS. NOTE ALSO THAT THE GUIDANCE CONTAINED IN PARA THREE IS SIMPLY THAT. WE DO NOT EXPECT YOU TO PASS ALL PRIVATE HUMAN RIGHTS INQUIRIES TO THE HOST GOVERNMENT. ON THE OTHER HAND, JUDICIAL USE OF THIS DEVICE JUST MIGHT ACHIEVE SOME POSITIVE RESULTS. AT THE VERY LEAST, YOU MIGHT EXPAND YOUR CONTACTS AND YOUR BASE OF INFORMATION ABOUT HUMAN RIGHT CONDITIONS IN YOUR HOST COUNTRY.

1. IN RESPONDING DIRECTLY TO PRIVATE INQUIRIES ABOUT ALLEGED POLITICAL PRISONERS POSTS SHOULD:

-- PROVIDE ANY AVAILABLE FACTUAL, PUBLIC INFORMATION ON THE PERSON OR PERSONS INVOLVED. SUCH INFORMATION CONFIDENTIAL

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WOULD LOGICALLY INCLUDE REFERENCE TO LOCAL PRESS REPORTS OR OFFICIAL GOVERNMENT STATEMENTS ON THEIR ARREST, IMPRISONMENT, TRIAL, CONVICTION, ACQUITTAL OR RELEASE.

-- IF SUCH PUBLIC INFORMATION IS NOT AVAILABLE, POSTS SHOULD AT A MINIMUM PROVIDE THE NAMES AND ADDRESSES OF GOVERNMENT OFFICIALS WHO MAY BE ABLE TO PROVIDE THE INFORMATION REQUESTED.

2. IN RESPONDING TO SPECIFIC HUMAN RIGHTS INQUIRIES FROM INDIVIDUALS OR ORGANIZATIONS POSTS SHOULD:

-- CONSULT AF AND HA BEFORE OFFERING TO FORMALLY RAISE THE ISSUE WITH THE HOST GOVERNMENT.

-- REFRAIN FROM PROVIDING INFORMATION OBTAINED BY SENSITIVE MEANS OR FROM SENSITIVE SOURCES.

-- REFRAIN FROM OFFERING TO INVESTIGATE THE MATTER ON BEHALF OF THE INQUIRER.

3. IF THEY BELIEVE THE INQUIRY TO BE LEGITIMATE
(VIZ., THAT IT CONCERNS AN INDIVIDUAL OR INDIVIDUALS
WHO LIKELY ARE OR WERE ARRESTED FOR POLITICAL
REASONS) POSTS MAY AT THEIR DISCRETION:

-- VERBALLY INFORM HOST GOVERNMENT OFFICIALS THAT
AN INQUIRY OR INQUIRIES HAVE BEEN MADE.

-- SUGGEST THAT IT MIGHT BE IN THE GOVERNMENT'S OWN
BEST INTEREST BE RESPONSIVE TO SUCH RESPONSIBLE
INQUIRIES.

--PROVIDE A COPY OF THE COMMUNICATION CONTAINING THE
INQUIRY TO HOST GOVERNMENT OFFICIALS FOR THEIR INFORMATION.
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4. IN ANY EVENT, POSTS SHOULD KEEP THE DEPARTMENT (AF
AND HA) INFORMED OF HUMAN RIGHTS INQUIRIES MADE BY
PRIVATE INDIVIDUALS OR ORGANIZATIONS. POSTS SHOULD
ALSO PROVIDE TO THE DEPARTMENT ANY AVAILABLE INFORMATION
ABOUT THE SUBJECTS OF SUCH INQUIRIES.

5. FINALLY, IF THE POST HAS ANY SUBSTANTIVE QUESTION
ABOUT THE BONA FIDES OF THE PERSON OR ORGANIZATION
MAKING THE HUMAN RIGHTS INQUIRY OR IF THE QUESTIONS
POSED REQUIRE THAT THE POST COMMENT ON GENERAL HUMAN
RIGHTS CONDITIONS IN THE COUNTRY OF ITS RESPONSIBILITY,
THE INQUIRY SHOULD BE REFERRED TO THE DEPARTMENT (AF)
FOR ACTION.

6. ABOVE GUIDANCE REFERS ONLY TO INQUIRIES ABOUT THE
STATUS OF FOREIGN NATIONALS. IT DOES NOT PERTAIN TO
CONGRESSIONAL INQUIRIES OR TO THE PROTECTION AND
WELFARE OF US CITIZENS. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INFORMATION EXCHANGE, POLITICAL PRISONERS, SPECIAL INTEREST GROUPS, PRISONERS
Control Number: n/a
Copy: SINGLE
Draft Date: 22 feb 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: DG ALTERED
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780182-0654, D780079-0634
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780227/aaaaawix.tel
Line Count: 155
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: fc0d2bd2-c288-dd11-92da-001cc4696bcc
Office: ORIGIN AF
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 28 jul 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3518117
Secure: OPEN
Status: NATIVE
Subject: RESPONSES TO PRIVATE INQUIRIES ABOUT INDIVIDUALS ALLEGED TO BE POLITICAL PRISONERS SUMMARY: FOLLOWING PROVISIONAL GUIDANCE IS INTEND
TAGS: SHUM, XA
To: AF POSTS
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/fc0d2bd2-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
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20 Mar 2014
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